

### **AMENDMENTS TO THE DRAWINGS**

In FIG. 4A, reference numerals "12A," "12B," "12C," and "44" have been added.

In FIG. 5, reference numerals "12A," "12B," "12C," "40," and "44" have been added.

Attachment: Replacement Sheets

## **REMARKS**

### **STATUS OF CLAIMS**

Claims 2-6, 8-16, 19-22, 24-34, and 36-38 are pending in the application. Claims 1, 7, 17, 18, 23, 31, and 35 have previously been canceled. Claims 2-6, 8-16, 19-22, 24-34, and 36-38 are rejected under 35 U.S.C. §112, second paragraph.

### **AMENDMENTS TO THE DRAWINGS**

With this Amendment, Applicant submits amended drawings to clarify that the contact surface 14 shown in FIGS. 4A and 5 is similar to the contact surface shown in FIG. 2.

### **REJECTIONS UNDER 35 U.S.C. §112**

Claims 2-6, 8-16, 19-22, 24-34, and 36-38 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. According to the Examiner, the claims are indefinite because “it is unclear to the examiner how the claimed invention is configured with a heater below a thermally conductive block (Figures 4) with channels therethrough for the flow of cooling water or liquid and yet the independent claims recite an ‘electrode surface’ and heating elements which implies that current passes through the ‘electrode surface’ or ‘contact surface.’”

Applicant respectfully disagrees with the Examiner’s interpretation and requests reconsideration. FIGS. 4A and 5 have been amended to add electrodes 12A, 12B, and 12C to contact surface 14 in order to clarify that therapeutic energy is delivered through the electrodes. Thus, the Examiner’s interpretation of, for example, Figure 4A as representing an “electrically insulated heater” without any “electrode surfaces” is not accurate. In view of these amendments, Applicant respectfully requests that the rejection of claims 2-6, 8-16, 19-22, 24-34, and 36-38 under 35 U.S.C. §112, second paragraph, be withdrawn.

CONCLUSION

Applicant believes all claims are now in condition for allowance and a Notice of Allowance is respectfully solicited. If the Examiner believes that a teleconference would be of value in expediting the allowance of the pending claims, the undersigned can be reached at the telephone number listed below. With this Amendment, Applicant petitions for a two-month extension of time, the present Amendment being filed on December 11, 2007 and the three-month statutory period for response expiring on October 16, 2007. If, however, it is believed that any additional fees are necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference 687-3108/US).

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Respectfully submitted,

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